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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/601,871	ARIMOTO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Fred M. Teskin	1713	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE OF JUNE 14, 2005.
2. ☒ The allowed claim(s) is/are 8-14.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date <u>061405</u></li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____.</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
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**Reasons for Allowance**

The following is an examiner's statement of reasons for allowance:

Claims 8-14 are allowed primarily because the broadest claim is limited to fastening or holding cargo with a film having a percentage strain change 100 hours after applying a load of 3.5Mpa at a temperature of 23°C that is not more than 2.0 %, and a percentage strain change 100 hours after applying a load of 0.5Mpa at a temperature of 55°C that is not more than 2.5 %.

In the IDS filed June 14, 2005, US 2001/0012879 (Arai et al) is cited as a counterpart to a Chinese document cited in an Office action in applicants' corresponding Chinese application.

Arai et al disclose stretch packaging film for, e.g., pallet wrapping, the film containing aromatic vinyl compound/alpha-olefin random copolymer. (Arai, paragraphs 0001 and 0101.)

Notably, Arai et al nowhere indicate their film possesses a percentage strain change as specified in claim 8. Moreover, Arai et al distinguish their random copolymer from pseudo-random styrene-ethylene copolymers of the prior art on the basis of *head-to-tail chain structures* of at least two aromatic vinyl compound units and an alternating structure of the aromatic vinyl compound and ethylene that is *highly isotactic*. The pseudo-random styrene-ethylene copolymers are said to have no head-to-tail styrene units and no stereoregularity derived from styrene units. (*Id.*, paragraph 0003).

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In a preferred embodiment of the present invention, the film used to fasten or hold cargo is a substantially random or pseudo-random interpolmer comprising polymer units as defined in claims 10-14. The specification states that this substantially random interpolmer *cannot* be characterized by a high degree of isotacticity or syndiotacticity and that in the pseudo-random interpolmer, insertion of vinyl or vinylidene monomer from head to head or head to tail *does not occur*. (Specification page 4, lines 16-18 and page 5, lines 9-10.)

In view of the cited differences between the random copolymer of Arai et al and a substantially random or pseudo-random styrene-ethylene interpolmer, there is no plausible basis for inferring the undisclosed properties of the film used in applicants' invention will inhere to film made of the Arai et al copolymer. Thus, even if a stretch packaging operation such as pallet wrapping could be considered equivalent to fastening cargo, use of the Arai et al film as the wrapping material would not produce the claimed invention, since the recited values of percentage strain change are neither taught nor suggested therein.


None of the other prior art of record, including Cheung et al and EP '815, is seen to teach or fairly suggest fastening or holding cargo with a film having a percentage strain change in accordance with claim 8.

Accordingly, claims 8-14 are deemed to define allowable subject matter and are passed to issue.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

  
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